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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/784,045

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William D. Kirsh

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MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 400
MCLEAN, VA 22102

EXAMINER

MORGAN, ROBERT W

ART UNIT

PAPER NUMBER

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MAIL DATE

DELIVERY MODE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WILLIAM D. KIRSH, PETER M. KRAMER,
and JEFFREY T. KING

Application 09/784,045
Technology Center 3600

Mailed: March 25, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER RETURNING APPLICATION TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on December 1, 2008. A review of the application has revealed that the application was not ready for an appeal.

On December 8, 2008, the examiner mailed a Supplemental Examiner's Answer to appellants. This supplemental Examiner's Answer introduced a new ground of rejection on claims 1, 2, and 4-23.

Application 09/784,045

On February 9, 2009, the appellants timely filed an amendment requesting the reopening of prosecution of the application under 37 C.F.R. § 41.39.

Accordingly, it is

ORDERED that the application is returned to the Examiner to reopen prosecution in accordance with the appellants' February 9, 2009 request to reopen prosecution.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/ewh

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
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MCLEAN VA 22102